

IN UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

MARION MISIAK and
MARY BETH MISIAK

Plaintiffs,

v.

MORRIS MATERIAL HANDLING, INC.,
a foreign corporation, d/b/a P&H Cranes,
P&H CRANES, individually and as
a division of Morris Material Handling,
Inc., WHITING CORPORATION, a
Foreign corporation, HUBBELL
INCORPORATED, a foreign corporation
d/b/a Gleason Reel Corp., and
GLEASON REEL CORP., a foreign
Corporation, a/k/a GRC International,
individually and as a division of
Hubbell Incorporated,

Defendants.

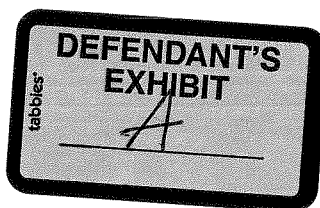
No. 07 C 6330

Honorable Judge John W. Darrah

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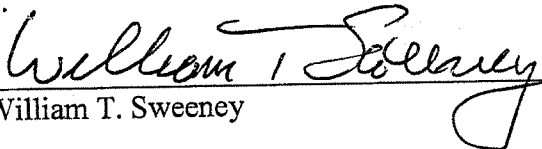
I, William T. Sweeney, being duly sworn upon oath, state as follows:

1. I am the Director of Risk Management for The Marmon Group LLC. I have personal knowledge of the statements made in this affidavit.
2. Union Tank Car Company ("UTCC") is a member company of The Marmon Group of companies.
3. UTCC is an authorized self insurer for workers' compensation in the State of Indiana, and was so at the time of Marion Misiak's injury on November 7, 2006.
4. All UTCC workers' compensation claim payments up to \$1,000,000.00 are paid directly by UTCC through its third party claim administrator.
5. UTCC has workers' compensation insurance coverage above a \$1,000,000.00 per claim self insured retention.

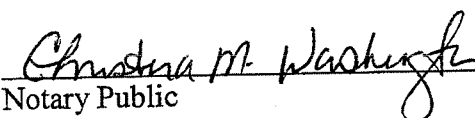


6. To date, all payments made pursuant to Marion Misiak's workers' compensation claim have been made by UTCC pursuant to its self insured retention and its lien currently exceeds \$700,000.00.

FURTHER AFFIANT SAYETH NOT.


William T. Sweeney

Subscribed and sworn to
Before me this 9th day of May, 2008.


Notary Public

